

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

AIESHA DOTSON,)	CIVIL ACTION
)	
Plaintiff,)	No. CIV-17-271-F
)	
v.)	COMPLAINT AND
)	DEMAND FOR JURY TRIAL
DIVERSIFIED CONSULTANTS, INC.,)	
)	
Defendant.)	

Plaintiff AIESHA DOTSON (“Plaintiff”) as and for his Complaint against Defendant DIVERSIFIED CONSULTANTS, INC. (“Defendant”) alleges:

INTRODUCTION

1. This is a civil action for actual damages, statutory damages, costs, and attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692-1692p (“FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

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2. This civil action is to enforce liability created under the FDCPA.
3. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).
4. This civil action arises under the laws of the United States.
5. Jurisdiction of this Court arises under 28 U.S.C. § 1331.

VENUE

6. Defendant DIVERSIFIED CONSULTANTS, INC. is a resident of the State of Oklahoma.

7. Defendant DIVERSIFIED CONSULTANTS, INC. is subject to this Court's personal jurisdiction with respect to this civil action.
8. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(1).

PARTIES

9. Plaintiff AIESHA DOTSON is a natural person.
10. Plaintiff AIESHA DOTSON is allegedly obligated to pay a debt.
11. Plaintiff AIESHA DOTSON is a "consumer" as defined by the FDCPA, 15 U.S.C. § 1692a(3).
12. Defendant DIVERSIFIED CONSULTANTS, INC. is Incorporated in the under the laws of the State of Florida.
13. Defendant DIVERSIFIED CONSULTANTS, INC. is registered with the Oklahoma Secretary of State as a Foreign For Profit Business Corporation.
14. Defendant DIVERSIFIED CONSULTANTS, INC.'s Oklahoma Secretary of State filing number is 2312018816.
15. Defendant DIVERSIFIED CONSULTANTS, INC.'s Oklahoma Secretary of State original date of filing is September 23, 2003.
16. Defendant DIVERSIFIED CONSULTANTS, INC.'s Registered Agent is INCORP SERVICES, INC.
17. Defendant DIVERSIFIED CONSULTANTS, INC.'s Registered Agent's address is 324 North Robinson Avenue, Suite 100 Oklahoma City, OK 73102.

18. Defendant DIVERSIFIED CONSULTANTS, INC.'s Registered Agent may be served process via its registered agent at INCORP SERFICES, INC., 324 North Robinson Avenue, Suite 100 Oklahoma City, OK 73102.
19. A true and correct copy of the "Entity Summary Information" from the Oklahoma Secretary of State public website is attached hereto and incorporated herein as **Exhibit A**.
20. Defendant DIVERSIFIED CONSULTANTS, INC. is engaged in the business of collecting debt in the State of Oklahoma.
21. Defendant DIVERSIFIED CONSULTANTS, INC. regularly attempts to collect debts to be due another.
22. Defendant DIVERSIFIED CONSULTANTS, INC. is engaged in the collection of debts using the mail and telephone.
23. Defendant DIVERSIFIED CONSULTANTS, INC. is a "debt collector" as defined by the FDCPA, 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

24. On or about February 2, 2016 to February 11, 2017, the Defendant DIVERSIFIED CONSULTANTS, INC. placed several telephone calls to Vance Dotson looking for Plaintiff AIESHA DOTSON for an alleged debt owed to Sprint in the amount of \$523.92.
25. At all relevant times mentioned in this Complaint, Plaintiff AIESHA DOTSON never gave prior consent to Defendant DIVERSIFIED CONSULTANTS, INC. for them to speak with Vance Dotson regarding any matter, included alleged debts.

26. On or about February 10, 2017, Plaintiff AIESHA DOTSON disputed the alleged debt with Defendant DIVERSIFIED CONSULTANTS, INC. in writing via United States Postal Service Tracking #: 7015 1660 0000 4601 8636, which it received on February 17, 2017.
27. A true and correct copy of the “Product & Tracking Information” for the aforementioned dispute letter as found on the United State Postal Service’s public website is attached hereto and incorporated herein as **Exhibit B**.
28. On or about February 25, 2017, Defendant DIVERSIFIED CONSULTANTS, INC. failed to cease collection of the disputed debt prior to sending Plaintiff verification.
29. On or about February 25, 2017, Defendant DIVERSIFIED CONSULTANTS, INC. sent insufficient information to Plaintiff regarding her dispute on February 10, 2017.
30. On or about February 2017, a series of telephone calls occurred between Defendant DIVERSIFIED CONSULTANTS, INC. and non-party Vance Dotson.
31. The aforementioned telephone calls can be heard in their entirety here:
<https://goo.gl/PpAFas>.
32. Defendant DIVERSIFIED CONSULTANTS, INC. is vicariously liable for the conduct of its employees under the legal doctrine of *respondeat superior*.
33. All of the above-described conduct constitute violations of the FDCPA by Defendant DIVERSIFIED CONSULTANTS, INC.

COUNT I – VIOLATION OF 15 U.S.C. § 1692-1692p

34. Plaintiff repeats and realleges and incorporates by reference paragraphs 1 through 33.

35. Defendant DIVERSIFIED CONSULTANTS, INC. violated the FDCPA as a result of the aforementioned facts and conduct; Defendant DIVERSIFIED CONSULTANTS, INC.'s violations include, but are not limited to, the following:

- a. Defendant DIVERSIFIED CONSULTANTS, INC. violated 15 U.S.C. § 1692g(b) by failing to cease collection of the debt after receiving a written dispute on the alleged debt prior to sending Plaintiff verification of the debt.
- b. Defendant DIVERSIFIED CONSULTANTS, INC. violated 15 U.S.C. § 1692c(b) by communicating with a third party, Vance Dotson, without prior consent of Plaintiff directly to Defendant, in connection with the collection of the aforementioned alleged debt.

36. As a result of the foregoing violations of the FDCPA, Defendant DIVERSIFIED CONSULTANTS, INC. is liable to Plaintiff for actual damages, statutory damages, costs, and attorneys' fees.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff AIESHA DOTSON requests a trial by jury and entry of judgment against Defendant DIVERSIFIED CONSULTANTS, INC. for the following:

- A. Actual Damages according to proof at trial pursuant to 15 U.S.C. § 1692k(a)(1);
- B. \$1,000.00 statutory Damages pursuant to 15 U.S.C. § 1692k(a)(2)(A);
- C. Costs and attorneys' fees pursuant to 15 U.S.C. § 1692k(a)(3); and
- D. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Dated: March 11, 2017

s/ Brian L. Ponder

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